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RR RUEHWEB

DE RUEHMU #0354/01 0921752  
ZNR UUUUU ZZH  
R 021752Z APR 09 ZDK  
FM AMEMBASSY MANAGUA  
TO RUEHC/SECSTATE WASHDC 3974  
INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC  
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS MANAGUA 000354

STATE FOR WHA/CEN, EB/IFD/OIA, AND L/CID  
STATE ALSO FOR WHA/EPSC  
STATE PASS TO USTR  
TREASURY FOR INL AND OWH

SIPDIS

E.O. 12958: N/A  
TAGS: [EINV](#) [ECON](#) [USTR](#) [KIDE](#) [NU](#)  
SUBJECT: NICARAGUA: AMCIT PROPERTY CLAIMS MONTHLY UPDATE: MARCH 2009

SUMMARY  
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¶1. In March 2009, the Government of Nicaragua (GON) reported the resolution of seven Embassy registered property claims, including one claim previously dismissed under Decree 38 (1979). One claimant recovered her property through the courts and one claimant signed a leasing agreement with the Nicaraguan National Police to recover his property. We have added a new category to track the resolution of U.S. claims recently dismissed by the GON. There remain 606 unresolved registered property claims belonging to 287 U.S. citizens in the Embassy's database. To date, the overwhelming majority of resolutions have involved compensation via government-issued indemnification bonds ("bonos de pago de indemnizacion" or BPIs). As of March 31, 2009, the GON had issued BPIs with a face value of \$335,698,234.17 to Embassy-registered claimants. Since taking office in January 2007, the Ortega administration has resolved 67 claims, twenty of which during the 2008-2009 waiver year.

EMBASSY REGISTERED CLAIMS RESOLVED IN MARCH  
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¶2. On March 16, 2009, Attorney General's Office provided the Embassy a copy of the final settlement document or "finiquito" signed by U.S. citizens Eduardo, Salvador, and Ricardo Cuadra on March 5, 2009. The Cuadras received BPIs worth 1,138,100 cordobas, approximately \$56,678. We have updated our database to reflect this settlement.

Claimant	Type of Claim	No. of Claims	Type of Resolution
Cuadra Family	House	1 bonds	

¶3. On March 19, 2009, Attorney General's Office provided the Embassy a copy of the finiquito signed by U.S. citizen Irene Dona on March 12, 2009. Mrs. Dona received BPIs worth 263,300 cordobas, approximately \$13,113. Mrs. Dona's claim had been dismissed by the GON based on Decree 38 (1979) on February 26, 2008. Decree 38 authorized the Nicaraguan government to confiscate property belonging to the allies of the Somoza family. We have updated our database to reflect this settlement.

Claimant	Type of Claim	No. of Claims	Type of Resolution
Irene Dona	House	1 bonds	

¶4. On March 19, 2009, Attorney General's Office provided the Embassy a copy of the finiquito signed by U.S. citizen Enrique Pereira on February 27, 2009. Mr. Pereira received BPIs worth 4,947,200 cordobas, approximately \$246,375. We have updated our database to reflect this settlement.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Enrique Pereira	House	1	bonds

¶5. On March 31, 2009, Attorney General's Office provided the Embassy a copy of the finiquito signed by U.S. citizen Gloria Renazco on March 26, 2009. Mrs. Renazco received BPIs worth 1,630,600 cordobas, approximately \$81,205. We have updated our database to reflect this settlement.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Gloria Renazco	Land	2	bonds

¶6. On March 06, 2009, Attorney General's Office provided the Embassy a copy of the finiquito signed by U.S. citizen Roger Teran on September 8, 2008. Mr. Teran received BPIs worth 7,368,900 cordobas, approximately \$366,977. We have updated our database to reflect this settlement.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Roger Teran	Land	1	bonds

¶7. On March 06, 2009, Attorney General's Office provided the Embassy a copy of the finiquito signed by U.S. citizen Pamela Zelaya on February 24, 2009. Ms. Zelaya received BPIs worth 607,300 cordobas, approximately \$30,244. We have updated our database to reflect this settlement.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Pamela Zelaya	Land	1	bonds

¶8. On March 11, 2009, U.S. claimant Maria Alvarez provided the Embassy a copy of the court decision that ordered the return of her property located in Masaya, southern Nicaragua, and the eviction of the illegal occupant on February 11. Her property had been under the control of a former Nicaraguan Army officer. We have updated our database to reflect this recovery.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Maria Alvarez	House	1	recovery

¶9. On March 19, 2009, Attorney General's Office provided the Embassy a copy of the finiquito and the leasing agreement signed by U.S. citizen Elmer Hidalgo and the Nicaraguan National Police on March 16, 2009 for the return of his property located in Jalapa, northern Nicaragua. The police agreed to pay Mr. Hidalgo a monthly rental fee of \$100 effective in March while they finalize the construction of their new office in Jalapa. The police plan to move into their new office in April 2010. The lease is for one year and can be extended for an additional six months. We have updated our database to reflect this recovery.

Claimant -----	Type of Claim -----	No. of Claims -----	Type of Resolution -----
Elmer Hidalgo	House	1	recovery

#### STATUS OF AMCIT PROPERTY AS OF 03/31/09

¶10. The following is a snapshot of current U.S. citizen property claims. The Embassy maintains separate databases for claims registered before and after the July 31, 2005 deadline in the Consolidated Appropriations Act.

EMBASSY-REGISTERED CLAIMS  
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NUMBER  
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Total Amcits with pending claims	287
Total Amcit claims pending resolution	606

EMBASSY-REGISTERED CLAIMS BY CALENDAR YEAR	NUMBER
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Claims resolved calendar year 2009	10
Claims resolved calendar year 2008	47
Claims resolved calendar year 2007	10
Claims resolved calendar year 2006	81
Claims resolved calendar year 2005	126
Claims resolved calendar year 2004	218
Claims resolved calendar year 2003	243
Claims resolved calendar year 2002	125
Claims resolved calendar year 2001	175
Claims resolved calendar year 2000	70

EMBASSY-REGISTERED CLAIMS RESOLVED BY WAIVER YEAR	NUMBER
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Registered claims resolved so far in 2008-09 (waiver year: July 29, 2008 - July 29, 2009)	20
Registered claims resolved 2007-08 waiver year	42
Registered claims resolved 2006-07 waiver year	34
Registered claims resolved 2005-06 waiver year	86
Registered claims resolved 2004-05 waiver year	187
Registered claims resolved 2003-04 waiver year	214
Registered claims resolved 2002-03 waiver year	183
Registered claims resolved 2001-02 waiver year	160
Registered claims resolved 2000-01 waiver year	142
Registered claims resolved 1999-00 waiver year	77
Registered claims resolved 1998-99 waiver year	156
Registered claims resolved 1997-98 waiver year	204
Registered claims resolved 1996-97 waiver year	145

EMBASSY-REGISTERED CLAIMS UNDER GON CONTROL	NUMBER
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Total Amcit properties under GON control (subject to revision)	51
GON-held claims resolved 2008-09 waiver year	3
GON-held claims resolved 2007-08 waiver year	1
GON-held claims resolved 2006-07 waiver year	0
GON-held claims resolved 2005-06 waiver year	3
GON-held claims resolved 2004-05 waiver year	16
GON-held claims resolved 2003-04 waiver year	12

GON-held claims resolved 2002-03 waiver year	11
GON-held claims resolved 2001-02 waiver year	26
GON-held claims resolved 2000-01 waiver year	2
GON-held claims resolved 1999-00 waiver year	2
GON-held claims resolved 1998-99 waiver year	5
GON-held claims resolved 1997-98 waiver year	29
GON-held claims resolved (total)	177

CLAIMS DISMISSED THE GON -----	NUMBER -----
MARCH 2008	73
FEBRUARY 2008	21
JANUARY 2008	34
NOVEMBER 2007	18
TOTAL	146

DISMISSED CLAIMS LATER RESOLVED IN FAVOR OF U.S. CLAIMANT -----	NUMBER -----
MARCH 2009                      1	

OTHER CATEGORIES TRACKED -----	NUMBER -----
DECISION AGAINST U.S. CLAIMANT IN COURT	9
(CLAIM WITHDRAWN BY AMCIT)	
CLAIMS WITHDRAWN BY AMCITS (PROPERTY UNDER AMCIT CONTROL)	1

CLAIMS WITHDRAWN BY AMCITS FOR LACK OF SUPPORTING DOCUMENTS	1
TOTAL CLAIMS RESOLVED BY LAND SWAPS	6

TOTAL CLAIMS COMPENSATED VIA BONDS (face value of bonds \$335.6 million)	1,910
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NON-REGISTERED RESOLUTIONS BY WAIVER YEAR -----	NUMBER -----
Non-registered resolutions 2008-09 waiver year	0
Non-registered resolutions 2007-08 waiver year	6
Non-registered resolutions 2006-07 waiver year	12
Non-registered resolutions 2005-06 waiver year	30
Non-registered resolutions 2004-05 waiver year	0
Non-registered resolutions 2003-04 waiver year	6
Non-registered resolutions 2002-03 waiver year	22
Non-registered resolutions 2001-02 waiver year	93
Non-registered resolutions 2000-01 waiver year	300
Non-registered resolutions 1999-00 waiver year	455

Non-registered resolutions 1998-99 waiver year	310
Non-registered resolutions 1997-98 waiver year	230
Non-registered resolutions 1996-97 waiver year	208

NON-WAIVER CLAIMS REGISTERED AFTER JULY 31, 2005	NUMBER
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Total Amcit claimants registered with Embassy	15
Total Amcit claims pending resolution	21

NON-WAIVER CLAIMS RESOLVED BY CALENDAR YEAR	NUMBER
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Claims resolved in calendar year 2008	1
Claims resolved in calendar year 2009	1

CALLAHAN